G. R. S. App. F. IX-4]

194 2 -

File No. 169 42

Previous References.

(Courts)

Serial Nos. 1 - 2

[illegible] 06 (1) (6)
[illegible] 42 (1)
Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Nil

Part B for

SUBJECT.

Reciprocal arrangements with the Travancore Government for the Execution of Maintenance orders.

Travancore Maintenance Orders Enforcement Act — Reciprocity with Mysore State

General and Revenue Secretariat R. A. & L. C. | File No. 957/N of 194 . | [App. F. III-2

Serial No.

F
MAR 25 1942
No 9771

957/BL.

From The Secretary to the Hon'ble the Resident in Mysore
No R.F.83-42/Judl dated 19th March 1942
Forwards a copy of the Travancore Maintenance Orders Enforcement Act, XII of 1116 and enquires whether our Govt are willing to enter into reciprocal arrangements with the Travancore Govt for the execution of maintenance orders.

It is submitted that the Maintenance Orders (Enforcement) Bill has not yet been passed into law, and hence it is for consideration whether the question of reciprocity, as suggested in the P.V.D., may be deferred till the measure becomes law. A reply will be sent to the Residency if approved, stating that the question of reciprocity will be considered after our Bill is passed into law.

Submitted for orders

A

2N—
24.3.42

2) Our Bill has just been considered by the Select Committee

3) A— May be done

BKR
24.3.42

Law Secy)

4) 'A' may be done

Hm
2
25.3.42

Minister for Law.)

5) Hm
25/3

BKR
25.3.42

Hm
27/3/42

BKR
27.3.42

SECT. I / DEPT. 1462 2 2.15-2. GOVT OF MYSORE

NOTE—Contn. Sheet.

WD 01925—GPB—1,000—4-3-41

Travancore Maintenance Orders Enforcement Act —
Reciprocity with Mysore State

File No. 957/RL. of 194 .

General and Revenue Secretariat
R. A. & L. C.

Serial No.

6) Draft letter to the Residency stating that the question of reciprocity with the Govt of Travancore will be considered after the Bill becomes Law, is submitted for approval. 1/x

JV 31-3-42

7) The main file relating to the Maintenance Orders (Enforcement) Bill is put up herewith.

RVN 31/3/42

8) Seen & re-submit

BKR 31.3.42

Issued No pol 1864 dated 1st April 1942 to the Secretary to the Hon'ble the Resident in Mysore State that the question of reciprocity will be considered after the Maintenance Orders Enforcement Bill becomes Law

9) The file is resubmitted for perusal.

JV 1-4-42

RVN 1/4

A'

Travancore Maintenance Orders Enfrcmn Act — Reciprocity with Mysore State.

Continuation Sheet. File No. / Current No. of Page.

1256 RL

From
The Secretary to the Hon'ble the Resident in Mysore.
Letter No R.F. 83-1/2 | Dated 16th June 1942

Inquiries how the matter re: the enactment of the Maintenance Orders Enfrcement Act stands.

Kind reference is invited to this Office letter to the Residency intimating that action is being taken to pass the Maintenance Orders Enfrcement Bill into law. This Bill as amended by the Report of the Select Committee will be placed before the Legislative Council at the ensuing Budget Session and the question of reciprocal arrangements dealt with only after the Bill is passed into law. Hence a reply will be sent to the Residency stating that the Bill as reported by the Select Committee will be placed before the Legislative Council at the ensuing Budget Session and that the question of reciprocal arrangements will be considered after the same is passed into law submitted for orders

W.
18-6-42

1) Draft Plan
16.6.42

Draft is put up for approval
W.
19-6-42

19.6.42

Secy
19.6.42

13)

19.6.42

281/RL

Travancore Maintenance Orders Enforcement Act. — Reciprocity with Indian States

717/1942

Attd No pol 24-42 dated 22nd June 1942 to the Secretary to the Hon'ble the Resident in Mysore.

From

The Secretary to the Hon'ble the Resident in Mysore

Letter No R.F. 83-42 Judl dated 24th July 1942

pol 24-42 dated 22-6-42

invites attention to this office letter and enquires how the matter stands

X Flag (H)

14) Kind reference is invited to this office letter to the Residency intimating them that the question of reciprocity with the Govt of Travancore will be considered after the Maintenance Orders (Enforcement) Bill is passed into law.

15) The file heading to the passing of the Maintenance orders (Enforcement) Act, 1942, is put up herewith submitted for perusal and for orders

25-7-42.

16) The Act has been Published on the 25th instant.

17) The question of entering into reciprocal arrangement with Travancore under the Act is for consideration. The question has to be considered by the administration section which will deal with the working of the Act.

18) It is for orders as to which Section the paper may be transferred.

29.7.42

SECY. LAW DEPT. 1166 1942 MYSORE

Secy (Law) 29.7.42

19) This may perhaps be transferred to the Law Section.

BKR 29.7.42

31 JUL 1942 HOME & REV. SECRETARIAT. PROTECTION BRANCH.

Law Secy

20) Can Law Section deal with

Can 29-7-42

Asst Secy (Law) BKR 31.7.42

Serial No.

21) The Gazette Copy of the Act no XXVIII of 1942, the Maintenance orders (Enforcement) is flagged. J.

22) It is an Act placed on the Statute Book for the purpose of facilitating the enforcement in Mysore of maintenance orders made in H. M. the King-Emperor's Dominions, Protectorates and Indian States and Vice Versa.

Flag E

23) The Residency in their letter of 19.3.42 state that the Travancore Govt wish to enter into reciprocal arrangements with the Govt of Mysore for the execution of maintenance orders and enquire if the Govt of Mysore are willing to reciprocate.

Flag J

24) Sec 3 (2) of the Mysore Act is identical with

Flag D

that of the Travancore Act but the definitions of 'reciprocating territory' is different:

Mysore	Travancore
"reciprocating territory" means any part of His Majesty the King Emperor's Dominions, Protectorates and Indian states in respect of which this Act for the time being applies.	Reciprocating territory" means British India or any other part of His Britanic Majesty's dominions or protectorate to which this Act for the time being applies.

Flag E

25) The Residency letter also states that the Travancore Govt entered into an aggreement with the British Govt on the following terms:—

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Travancore Maintenance orders (Enforcement) Act,
Reciprocity with Mysore.

File No. of 194 . | General and Revenue Secretariat.

Serial No.

OFFICE OF THE MINISTER FOR LAW
AUG 8 1942
No.....

(1) That the prior consent of H.E. the Crown Representative should be obtained before any action under sub-section (2) of section 3 of the law is taken, and

(2) That the Resident will constitute the Channel of Communication between the Travancore State and the Indian State concerned.

26) There seems to be no harm in entering into reciprocal arrangements with Travancore.

27) The High Court may be consulted un-officially.

Submitted for orders

M. 3/8/42

28) The High Court may be consulted in the first instance.

Law Secretary. 3/8/42

29) The Right Court may be consulted

CMS 7-8-42

Minister for Law

3/8/42

30) Agreed 8/8

CMS 9-8-42

3/8/42

SECY. LAW DEPT. 15/4 7 AUG 1942 GOVT. OF MYSORE

L & O No. P. 139/42 dated 10/8/42

C 220 1942-43.

Serial No. 1)

Forwarded With Compliments. Ien officially to the Registrar High Court of Mysore for favour of furnishing the opinion of the High Court in the matter

By order
For Secretary to Govt
Law Department

REGISTRAR HIGH COURT 11. AUG. 1942 OF MYSORE.

SECY. LAW DEPT. 1942 GOVT OF MYSORE

HIGH COURT OF MYSORE,

Dl.Dis.No 77/42-43. Bangalore, dated 3 Septr., 1942.

2) Returned with compliments. The Judges of the High Court see no objection to the proposed arrangements being made with Travancore.

There is a slight difference between the Mysore Act and the Travancore Act in their definitions of 'reciprocating territory'; but in consequence of section 3 (2), which is in effect the same in both Acts, that difference is of no practical importance. Both Acts make a distinction between Protectorates and Indian States.

M. Samaiengar
REGISTRAR.
CA

3-9-42
4/9/42

NOTE—Contn. Sheet.

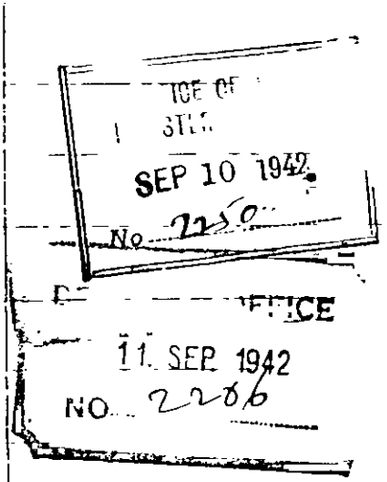
MSN.

WD 04155—GPB—55,000—23-10-41

Reciprocal arrangements with Travancore State for the execution of maintenance orders.

File No. of 194 . General and Revenue Secretariat.

Serial No.



Submitted for orders as to whether the Residency may be informed that the Govt of Mysore agree to enter into reciprocal arrangements with the State of Travancore for the execution of maintenance orders.

35) The High Court who were consulted in the matter see no objection to the proposed arrangements being made with Travancore.

paras 34 & 35 ante.

36) Approval may be sent to Residency that we agree to enter into reciprocal arrangements with Travancore [illegible]

Law Secretary 3 8/9/42

37) The proposed arrangements may be made with the Govt of Travancore

Minute Secretary — 9-9-42

Dewan

38) [illegible] 9/9

39) [illegible] 14/9/42 3 15/9 15-9-42

Reciprocal arrangements With Travancore State for the execution of maintenance orders

General and Revenue Secretariat | CS File No. | of 194 . | [App. F. III—2

Serial No.

40) It is a point for orders as to whether the papers may be submitted to His Highness before Communicating the decision of Govt to the Residency.

Apr 1579 M.

41) The papers may be submitted to His Highness in his forest to Station.

Law Secretary 3/1579/42

42) The office has taken Some time to put up references.

43) This may be discussed by circulation.

Devan. 19-10-42

44) Nil 25/10/42

45) For favour of circulation

Chief Secy 25-10-42

27.10.

3214

CHIEF SECRETARY 26 OCT.

Circulation memo submitted.

Sym 27/10

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

For Disposal by Circulation.

No. C. 449

of 1942-43.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Reciprocal arrangements with the Travancore State for the execution of maintenance orders.

(46) *Circulated to the Council of Ministers.*

By Order,

Chief Secretary to Government.

26th October 1942.

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47) 3750/28/X. **Minister for Finance and Revenue.** 28/10/42

Minister for Law. (Seen)

48) 2121/30.10 **Minister for Education.** 30.10

49) 3402/30/10/42 **Minister for Local Self-Government and Public Health.** 30.10.42

Law Dept 31/10

Cos 2-11

3/11/42

Reciprocal arrangements with Travancore State for the execution of maintenance orders

General and Revenue Secretariat | File No. | of 194 . | [App. F. III—2

Serial No.

50 Submitted With a D.F.N.
Law Secretary
3/11/42

CPM 3/11

51) D.F.N. Submitted
Cus 5-11-42
Minister, Law
3/11

52) Bur 6/11
Cus 6-11-42

53) S.N. is Submitted
Cus 6-11-42
Revenue
3/11

3707

SECY 4753-M1 GOVT. ... ORE

OFFICE OF THE MINISTER FOR LAW
NOV 6 1942
No. 3897

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—28-10-41

Final Note by the Minister for Law

Subject.— Reciprocal arrangements with the Travancore Government for the execution of maintenance orders.

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54 The Mysore Residency intimated this Government that the Government of Travancore wished to enter into reciprocal arrangements with the Government of Mysore for the execution of maintenance orders and enquired whether this Government were willing to reciprocate. The High Court were consulted in the matter. The Judges see no objection to the proposed arrangements being made with Travancore State.

Para 32 ante.

55 It is proposed to enter into reciprocal arrangements with the Travancore Government for the execution of maintenance orders under the Maintenance Orders (Enforcement) Act, 1942 (Act No.XXVIII of 1942). The Dewan and the other Ministers agree with me.

c.f. 37, 38 & 39 ante.

" 47, 48 & 49

56 I solicit the gracious approval of His Highness to the above proposals.

Bangalore,
6th November, 1942.

MINISTER ~~FOR LAW~~.

Submitted to His Highness.

57) I submit herewith a Final Note by the Minister for Law on the subject of the reciprocal arrangements with the Travancore Government for the execution of maintenance orders

for His Highness' gracious approval.

N Madhava Rau

Dewan.

Bangalore,
12th November 1942.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Reciprocal arrangements with the Travancore Government for the execution of maintenance orders.

(58) *Order.*

16/11/42

General and Revenue

Secretariat.

c449.

SUBJECT:—

Reciprocal arrangements with the Travancore Government for the execution of maintenance Orders.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

...L..a..W.....Department.

H390/30.11.42 Minister for Finance and Revenue.

4603/25.11 Minister for Law.

2549/26.11 Minister for Education.

fo217/27/11/42 Minister for Local Self-Govt. and Public Health.

Law see cofes

NOTE.—Contn. sheet

WD 0718—GPB—1,000—11-9-42

117 Reciprocal arrangements with Travancore Govt
3688/42-43 for the execution of Maintenance orders

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

(59) Linked with a draft

60) may be approved
Das Scrutiny 3/12

61) Ans 1-12-42

62) 3m

2 D.NO. Pol-1171 dated 4.12.42 to the Residency stating that a rate per in this behalf which is issued by the Mysore Govt on the same is both ever a similar rate has been issued by the Travancore Govt. 3 21/12/42

Sm A

NOTE—Contn. Sheet.

WD 02220—GPB—1,000—22-2-37

Reciprocal arrangements with Travancore State for the execution of maintenance orders

(733)

CS File No. 149 of 1942

General and Revenue Secretariat

Serial No.

From
The Secretary to the Hon'ble the Resident
No R.T. 83-42/Judl Dt 10-4-1943.

Forwards a Copy of a Notification Dt 1-3-1943 issued by the Travancore Govt declaring that the Travancore Maintenance orders Enforcement Act shall apply in respect of the Mysore State and requests that 3 copies of Corresponding Notification of the Mysore Govt may be sent to the Residency.

(63) Submitted with a draft of a Notification and also of a letter to the Residency

May be approved
HKW 15/4

CSR 13/4

13.4.43 Land Secy

HKW 16/4/43

To
The Comptroller M.G.
No pol 7567 Dt 19.4.43
Declares that the Maintenance orders shall apply in respect of Travancore State

To
The Secy to the Hon'ble the Resident
No 2[illegible] Dt 21.4.43
Forwards 3 Copies of Govt Notn Dt 17.4.43

SECY. TO GOVT OF MYSORE 1233-3 16/4/43

B

GENL SECT PHOTO Appr 3

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

25 149-42-1
957 RL

No. R.F.83-42/Judl.

Pol 2312

OFFICE OF THE R.V.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

LEGISLATIVE COUNCIL

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Legis
19.
OF MYS

Dated Bangalore, the 19th March *194*2.

Travancore Maintenance Orders Enforcement Act -
Reciprocity with Mysore State.

SIR,

I am directed to forward a copy of the Travancore Maintenance Orders Enforcement Act, XII of 1116, and to say that the Travancore Government wish to enter into reciprocal arrangements with the Government of Mysore for the execution of maintenance orders. I am to enquire whether the Government of Mysore are willing to reciprocate.

2. I am to add that before the Travancore Bill was passed into law in the form in which it stands, the agreement of the Government of Travancore was obtained to the following terms:-

(1) that the prior consent of His Excellency the Crown Representative should be obtained before any action under sub-section (2) of section 3 of the law is taken, and

(2) that the Resident will constitute the channel communication between the Travancore State and the Indian State concerned.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

ksln.

Act XII of 1116.

THE TRAVANCORE MAINTENANCE ORDERS ENFORCEMENT ACT

PASSED BY HIS HIGHNESS THE MAHARAJA OF TRAVANCORE UNDER DATE THE 18TH KUMBHOM 1116 CORRESPONDING TO THE 1ST MARCH 1941 UNDER SECTION 23 OF ACT II OF 1108.

CONTENTS.

Preamble.
1. Short title and extent.
2. Definitions.
3. Reciprocal arrangements.
4. Registration in Travancore of maintenance orders made in a reciprocating territory.
5. Transmission of maintenance orders made in Travancore.
6. Powers of summary courts to make provisional maintenance orders against persons resident in a reciprocating territory.
7. Power of court of summary jurisdiction to confirm maintenance order made out of Travancore.
8. Enforcement of maintenance orders.
9. Payment of charge for transmission of sums awarded as maintenance and other costs and charges.
10. Proof of documents signed by officers of court.
11. Depositions to be evidence.
12. Rule making power.

Whereas it is expedient to facilitate the enforcement in Travancore of maintenance orders made in British India and other parts of His Britanic Majesty's dominions and protectorates and *vice-versa*;

Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the Travancore Maintenance Orders Enforcement Act.

Short title and extent.

(2) It extends to the whole of Travancore.

2. In this Act unless there is anything repugnant in the subject or context :—

Definitions.

(*a*) "Court of summary jurisdiction" means the Court of a District Magistrate;

(*b*) "dependants" means such persons as a person against whom a maintenance order is made is liable to maintain according to the law in force in the reciprocating territory or in Travancore as the case may be, in which the maintenance order is made;

(*c*) "maintenance order" means an order, other than an order of affiliation made by a Court in the exercise of civil or criminal jurisdiction for the periodical payment of sums of money towards the maintenance of the wife or other dependants of the person against whom the order is made;

(*d*) "prescribed" means prescribed by rules made under this Act;

(*e*) "proper authority" means the authority appointed by or under the law of a reciprocating territory to receive and transmit documents to which this Act applies; and

(*f*) "reciprocating territory" means British India or any other part of His Britanic Majesty's dominions or protectorates to which this Act for the time being applies.

Reciprocal arrangements.

3. (1) If Our Government is satisfied that provisions have been made by the Legislature of British India or any other part of His Britanic Majesty's dominions for the enforcement within British India or such other part of maintenance orders made by Courts in Travancore, Our Government may, by notification in Our Government Gazette, declare that this Act applies in respect of British India or such other part of His Britanic Majesty's dominions and thereupon it shall apply accordingly.

(2) Our Government may by like notification declare that this Act applies in respect of any British Protectorate or in respect of any State in India and where such a declaration has been made this Act shall apply as if such Protectorate or State is a reciprocating territory.

Registration in Travancore of maintenance orders made in a reciprocating territory.

4. (1) Where a maintenance order has, whether before or after the passing of this Act been made against any person by any Court in any reciprocating territory and a certified copy of the order has been transmitted by the proper authority of that territory to Our Government, Our Government shall send a copy of the order to the prescribed officer of a Court for registration, and on receipt thereof, the order shall be registered in the prescribed manner.

(2) The Court in which an order is to be so registered as aforesaid shall, if the Court by which the order was made was, in the opinion of Our Government, a Court of superior jurisdiction be a District Court, and, if the Court was not, in its opinion, a Court of superior jurisdiction, be a Court of summary jurisdiction.

Transmission of maintenance orders made in Travancore.

5. Where a Court in Travancore has, whether before or after the commencement of this Act made a maintenance order against any person, and it is proved to that Court that the person against whom the order was made is resident in a reciprocating territory the Court shall send to Our Government for transmission to the proper authority of that territory a certified copy of the order.

Powers of summary courts to make provisional maintenance orders against persons resident in a reciprocating territory.

6. (1) Where application is made to a Court of summary jurisdiction in Travancore for a maintenance order against any person, and it is proved that that person is resident in a reciprocating territory, the Court may in the absence of that person, if after hearing the evidence it is satisfied of the justice of the application, make any such order as it might have made if that person had wilfully neglected to attend the Court but in such case the order shall be provisional only and shall have no effect unless and until confirmed by a competent Court in such territory.

(2) The evidence of every witness who is examined on any such application shall be reduced to writing, and such deposition shall be read over to, and signed by him.

(3) Where such an order is made, the Court shall send to Our Government for transmission to the proper authority of the reciprocating territory in which the person against whom the order is made is alleged to reside, the depositions so taken and a certified copy of the order together with a statement of the grounds on which the making of the order might have been opposed if the person against whom the order is made had been duly served with a summons and had appeared at the hearing and such information as the Court possesses for facilitating the identification of that person and ascertaining his whereabouts.

(4) Where any such provisional order has come before a Court in a reciprocating territory for confirmation, and the order has by that Court been remitted to the Court of summary jurisdiction which made the order for the purpose of taking further evidence, that Court shall, after giving the prescribed notice, proceed to take the evidence, in like manner and subject to the like conditions as the evidence in support of the original application.

(5) If it appears to the Court hearing such evidence that the order ought not to have been made, the Court may rescind the order but in any other case the depositions shall be sent to Our Government and dealt with in like manner as the original depositions.

(6) The confirmation of an order made under this section shall not affect any power of a Court of summary jurisdiction to vary or rescind that order.

Provided that, on the making of a varying or rescinding order, the Court, shall send a certified copy thereof to Our Government for transmission to the proper authority of the reciprocating territory in which the original order was confirmed, or to which it was sent for confirmation and that, in the case of an order varying the original order the order shall not have any effect unless and until confirmed in like manner as the original order.

Power of court of summary jurisdiction to confirm maintenance order made out of Travancore.

7. (1) Where a maintenance order has been made by a Court in a reciprocating territory and the order is provisional only, and has no effect unless and until confirmed by a Court of summary jurisdiction in Travancore and certified copy of the order, together with depositions of the witnesses and a statement of the grounds on which the order might have been opposed, has been transmitted to Our Government and it appears to Our Government that the person against whom the order has been made is resident in Travancore, Our Government may send the said documents to the prescribed officer of a Court of summary jurisdiction, with a requisition that a summons be issued calling upon the person to show cause why that order should not be confirmed, and upon receipt of such documents and requisition, the Court shall issue such a summons and cause it to be served upon such person.

(2) A summons issued under sub-section (1) shall for all purposes be deemed to be a summons issued by the Court in the exercise of its original criminal jurisdiction.

(3) At the hearing it shall be open to the person to whom the summons was issued to raise any defence which he might have raised in the original proceedings had he been a party thereto, but no other defence and the certificate from the Court which made the provisional order stating the grounds on which the making of the order might have been opposed if the person against whom the order was made had been a party to the proceedings, shall be conclusive evidence that those grounds are grounds on which objection may be taken.

(4) If at the hearing the person served with the summons does not appear or, on appearing, fails to satisfy the Court that the order ought not be confirmed, the Court may, not withstanding any pecuniary limit imposed on its power by any law for the time being in force in Travancore, confirm the order either without modification or with such modifications as to the Court after hearing the evidence may seem just:

Provided that no sum shall be awarded as maintenance under this section, or shall be recoverable as such, at a rate exceeding that proposed in the provisional order.

(5) If the person to whom the summons was issued appears at the hearing and satisfies the Court that for the purpose of any defence it is necessary to remit the case to the Court which made the provisional order for the taking of any further evidence the Court may for that purpose send a certified copy of the record to Our Government for transmission to that Court through the proper authority of the reciprocating territory and may adjourn the proceedings.

(6) Where a provisional order has been confirmed under this section, it may be varied or rescinded in like manner as if it had originally been made by the confirming Court, and where on an application for rescission or variation the Court is satisfied that it is necessary to remit the case to the Court which made the provisional order for the purpose of taking any further evidence, the Court may for that purpose, send a certified copy of the record to Our Government for transmission to

that Court through the proper authority of the reciprocating territory, and may adjourn the proceedings.

Enforcement of maintenance orders.

8. (1) Subject to the provisions of this Act where an order has been registered under this Act in a District Court, the order shall, from the date of such registration, be of the same force and effect, and all proceedings may be taken thereon as if it had been an order originally obtained in the District Court in the exercise of its civil jurisdiction, and that Court shall have power to enforce the order accordingly.

(2) A Court of summary jurisdiction in which an order has been registered under this Act or by which an order has been confirmed under this Act and the officers of such Court, shall have such powers and perform such duties, for the purpose of enforcing the order, as may be prescribed.

Payment of charge for transmission of sums awarded as maintenance and other costs and charges.

9. A Court in registering or confirming an order for maintenance in accordance with the provisions of this Act shall direct that the charges for the transmission to the Court from which the order has been received or in which the provisional order has been made as the case may be, of the sum awarded as maintenance shall be borne by the person against whom the order has been so made or confirmed, and shall be recovered from him in addition to the sum awarded as maintenance and in addition to, and in the same manner as such other costs and charges as may be awarded or levied by the Court.

Proof of documents signed by officers of court.

10. For the purposes of this Act any document purporting to be signed by a judge or officer of a Court outside Travancore shall, until the contrary is proved, be deemed to have been so signed without proof of the signature or judicial or official character of the person appearing to have signed it, and the officer of a Court by whom a document is signed shall, until the contrary is proved, be deemed to have been the proper officer of the Court to sign the document.

Depositions to be evidence.

11. Depositions taken in a Court in any reciprocating territory may, for the purposes of this Act, be received in evidence in proceedings before Courts of summary jurisdiction under this Act.

Rule making power.

12. Our Government may make rules for the purpose of carrying into effect the purposes of this Act and in particular may make rules for the levy of the costs or charges for anything done under this Act and for all matters which are directed or permitted to be prescribed.

SIGN MANUAL.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue 1st April 1942

Signed by MR. B.K.R.

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. Conf 1864

To The Secretary to the Hon'ble the Resident in Mysore

Subject:—"Travancore Maintenance Orders Enforcement Act — Reciprocity with the Mysore States"

- Sir,

With reference to your letter No R.F. 83-42/ judl dated 19th March 1942 on the above subject, I am directed to state that action is being taken by this Government to pass the Maintenance Orders Enforcement Bill into Law, and that the question of reciprocal arrangements with the Government of Travancore will be considered after the said measure becomes law.

I have etc

BKR

for Secy to Govt

BDN 31/3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

Dated, Bangalore, 1st April March 1942.

No. Pol 1864

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To *The Secretary to the Hon'ble the Resident in Mysore,*
Bangalore.

Sir,

Subject:- "Travancore Maintenance Orders Enforcement Act -- Reciprocity with Mysore State".

With reference to your letter No.R.F.83-42/Judl.dated 19th March 1942 on the above subject, I am directed to state that action is being taken by this Government to pass the Maintenance Orders Enforcement Bill into Law, and that the question of reciprocal arrangements with the Government of Travancore will be considered after the said measure becomes law.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Law Department.

HKR.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

1256 RL

No. R.F. 83-42/Jud.

OFFICE OF THE SECRETARY TO THE RESIDENT IN MYSORE 17 JUNE 1942 REPRESENTATIVE ASSEMBLY & LEGISLATIVE COUNCIL

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

GOVT. LAW DEPT. 17 JUNE 1942. GOVT OF MYSORE

Dated Bangalore, the 16th June *1942.*

Travancore Maintenance Orders Enforcement Act - Reciprocity with Mysore State.

SIR,

I am directed to refer to your letter No.Pol. 1864/Legis, dated the 1st April 1942, and to request that this Residency may kindly be informed how the matter stands.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

ksln.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue 22nd June 1942

Signed by Mr B. K. R.

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. GL 2402

To

The Secretary to the Hon'ble the Resident in Mysore.

"Travancore Maintenance Orders Enforcement Act - Reciprocity with Mysore State"

Sir,

With reference ~~to the correspondence~~ ending ~~with~~ your letter No R.F. 83-42 Judl dated 11th June 1942 on the above subject, I am directed to state that the Maintenance Orders Enforcement Bill as reported by ~~it was laid before the Council by~~ the Select Committee ~~will be placed~~ is tabled for consideration by the ~~before the~~ Legislative Council at the ensuing Budget Session June 1942, and that the question of reciprocal arrangements with the Government of Travancore will

be considered after the said Bill
is passed into ~~law~~ law.

I have etc

For
Secy to Govt
Law Dept.

19-6-42.
19/6.

Rd 2402

22nd June ~~16th~~, 1942.

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

"TRAVANCORE MAINTENANCE ORDERS ENFORCEMENT ACT - RECIPROCITY WITH MYSORE STATE."

With reference to your letter No. R.F.83-42/Judl. dated 16th June 1942 on the above subject, I am directed to state that the Maintenance Orders Enforcement Bill, as reported by the Select Committee, is tabled for consideration by the Legislative Council at the ensuing Budget Session in June 1942, and that the question of reciprocal arrangements with the Government of Travancore will be considered after the said Bill is passed into law.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO GOVERNMENT,
Law Department.

PR.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

CS 149-42-2

To

The Secretary to the
Hon'ble the Resident

Subject :- Reciprocal arrangements
With the Travancore Govt
for the execution of
Maintenance Orders.

Sir

With reference to your
letter No R.7.83-42/Judl
Dt 19.3.1942 on the
above subject I am
directed to state that
the Govt of Mysore are
willing to enter into
reciprocal arrangements
With the Travancore Govt
for the execution of
maintenance orders under the
Mysore Maintenance Orders (Enforcement)

WD 08603—GPB—15,000—8-7-35

Act, 1942 (Act NO XXVIII of 1942). on the ~~Conditions~~ terms mentioned in para 2 of your letter under reference.

A Notification in this behalf will be issued by the Govt of Mysore on hearing from you that a similar Act has been issued by the Travancore Govt.

I have etc

for 1-12 ire

Secy to Govt
Law Dept

733/Jud Pol 2073

D.O.R.F.83-42/Judl.

cts 149-42-3.

From

The Secretary to the Hon'ble
the Resident in Mysore.

To

The Secretary to the Government
of His Highness the Maharaja
of Mysore, Law Department.

Bangalore, 10th April 1943.

Travancore Maintenance Orders Enforcement Act - Reciprocity with Mysore.

Sir,

With reference to your letter No.Pol.1171/cts.149-42-2, dated the 4th December 1942, I am directed to forward a copy of Notification ROC. No.5739/38/Judl, dated the 1st March 1943, issued by the Travancore Government declaring that the Travancore Maintenance Orders Enforcement Act shall apply in respect of the Mysore State.

2. I am to request that three copies of the corresponding notification which will be issued by the Government of Mysore may kindly be furnished to this

this Residency in due course.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

Ten.

Fr Notification by the Government of Travancore.

ROC.No.5739/38/Judl.

NOTIFICATION.

In exercise of the powers conferred by Section 3 of the Travancore Maintenance Orders Enforcement Act (XII of 1116) the Government of His Highness the Maharaja are pleased to declare that the said Act shall apply in respect of the Mysore State.

By order,

Sd. G. Parameswaran Pillai,

Chief Secretary to Government.

Huzur Cutcherry,

Trivandrum, 1st March 1943.

2 [illegible] No P 7567. 1 ds 149-42-4. 8/19.4.43

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

Rs 7

Notification

In exercise of the powers conferred by sub section (2) of Section 3 of the Maintenance Orders (Enforcement) Act, 1942 (Act No XXVIII of 1942) the Govt of His Highness the Maharaja are pleased to declare that the said Act shall apply in respect of the Travancore State.

By order

Secretary to Govt
Law Dept

To

The Compiler Mysore Govt
for publication in
III (1) of

8/19.4.43

Copy to (1) The Registrar
High Court
(2) The DMs of Districts
(3) The

WD 03697—GPB—30,000—2-2-46

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,.

No.P....7567/Cts.149-42-4.

Dated Bangalore, 19.th...Ap.ril...1943...~~1942~~

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of Section 3 of the Maintenance Orders (Enforcement) Act, 1942 (Act No. XXVIII of 1942), the Government of His Highness the Maharaja are pleased to declare that the said Act shall apply in respect of the Travancore State.

By Order,

M. Narasaraju

Secretary to Government,
Law Department.

To- The Compiler, Mysore Gazette, for publication in Part III(1) of the Gazette.

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khhc/9.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. P. 7567/Cts.149-42-4. General and Revenue Secretariat,

Dated Bangalore, 19th April 1943 ~~1993~~

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of section 3 of the Maintenance Orders (Enforcement) Act, 1942 (Act No. XXVIII of 1942), the Government of His Highness the Maharaja are pleased to declare that the said Act shall apply in respect of the Travancore State.

By Order,

Secretary to Government,
Law Department.

To- The Compiler, Mysore Gazette, for publication in Part III(1) of the Gazette.

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khhc/9.

Cls 149-42-5
No Pol. 2137
Encl 3
Dy 21.4.43

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

To

The Secretary to the
Hon'ble the Resident.

Subject :- Reciprocal arrangements
With the Travancore Govt
for the execution of
Maintenance orders.

Sir.

I am directed to
acknowledge the
receipt of your letter
No. R. T. 83-42 / Judl,
Dy 10-4-1943, forwarding
a copy of a Notification
Dy 1-3-1943 issued by
the Travancore Govt re-
the execution of Maintenance
orders and to forward
herewith three copies of

WD 03697—GPB—30,000—2-2-46

Ithis Govt Notification No P

Dt 1943

declaring that the Mysore Maintenance Orders Enforcement Act shall apply in respect of the Travancore State.

I have etc

Secretary to Govt
Law Dept